

## REMARKS

In the Official Action mailed **April 21, 2004**, the Examiner reviewed claims 1-10, 12-25, 27, and 28. Claims 1-2, 5-10, 12-13, 16-17, and 20-25 were rejected under 35 U.S.C. §102(b) as being anticipated by Henry et al. (USPN 5,774,058, hereinafter “Henry”). Claims 3, 14, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henry in view of Sudhakaran et al. (USPN 6,161,150, hereinafter “Sudhakaran”). Claims 4, 15, and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henry in view of Ho (USPN 5,615,373, hereinafter “Ho”). Claims 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henry in view of Mauch (USPN 4,760,393, hereinafter “Mauch”).

### Rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

Independent claims 1, 12, and 16 were rejected as being anticipated by Henry. Applicant respectfully points out that Henry teaches a remote locking/unlocking system, wherein a central controller **directly controls the remote locks** (see Henry, Abstract and FIG. 4).

In contrast, the present invention is directed to creating a **hierarchy of controllers within policies**, wherein a lock can be acquired by only one controller in the hierarchy of controllers (see FIG. 2, and page 8, lines 3-22 of the instant application). Creating a hierarchy of controllers within policies, wherein a lock can be acquired by only one controller in the hierarchy of controllers is advantageous because it prevents conflicting controllers from controlling critical sections of the same lockable resource at the same time while providing hierarchical policy structures.

Accordingly, Applicant has amended independent claims 1, 12, and 16 to clarify that the present invention creates a hierarchy of controllers within policies, wherein a lock can be acquired by only one controller in the hierarchy of controllers. These amendments find support in FIG. 2 and page 8, lines 3-22 of the instant application

Hence, Applicant respectfully submits that independent claims 1, 12, and 16 as presently amended are in condition for allowance. Applicant also submits that claims 2-10 and 27, which depend upon claim 1, claims 13-15, which depend upon claim 12, and claims 17-25 and 28, which depend upon claim 16, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler  
Registration No. 47, 615

Date: May 20, 2004

Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
508 Second Street, Suite 201  
Davis, CA 95616-4692  
Tel: (530) 759-1663  
FAX: (530) 759-1665